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Attorneys for Plaintiff Xat.com Limited

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

XAT.COM LIMITED,

Plaintiff,

v.

HOSTING SERVICES, INC. A/K/A
100TB.COM,

Defendant.

**PLAINTIFF XAT.COM
LIMITED'S MOTION TO STRIKE
DEFENDANT HOSTING
SERVICES, INC. A/K/A
100TB.COM'S REPLY IN
SUPPORT OF SHORT FORM
DISCOVERY MOTION**

Case No. 1:16-cv-00092

Chief Magistrate Judge Paul M.
Warner

Mediator: Magistrate Judge Dustin B.
Peard

Defendant Hosting Services, Inc. a/k/a 100TB.com (“100TB”) filed a reply in support of its short form discovery motion (the “Reply”). *See* [Dkt. No. 84](#). But DUCivR 37-1, which governs procedure for discovery disputes, does not permit a party to file a reply in support of a short form discovery motion. Accordingly, plaintiff Xat.com Limited (“Xat”) requests that the Court strike the Reply. Alternatively, Xat requests that it be allowed to address misrepresentations in the Reply through further briefing (i.e., a surreply), *see* DUCivR 37-1(a)(7)(C), or during a hearing, *see* DUCivR 37-1(a)(7)(A).

DATED: October 11, 2018.

STOEL RIVES LLP

/s/ David L. Mortensen

David L. Mortensen

Jordan C. Bledsoe

Attorneys for Plaintiff Xat.com Limited

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2018, I caused a true and correct copy of the foregoing to be served by CM/ECF and electronic mail to:

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/s/ Robin Noss